

100TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
100-879

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 1989

AUGUST 11, 1988.—Ordered to be printed

Mr. STOKES, from the committee of conference,
submitted the following

CONFERENCE REPORT

[To accompany H.R. 4387]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4387) to authorize appropriations for fiscal year 1989 for intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, for the Central Intelligence Agency Retirement and Disability System, and for other purposes, having met, after full and free conference, having agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Intelligence Authorization Act, Fiscal Year 1989."

TITLE I—INTELLIGENCE ACTIVITIES

AUTHORIZATION OF APPROPRIATIONS

SEC. 101. (a) *Funds are hereby authorized to be appropriated for fiscal year 1989 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:*

- (1) *The Central Intelligence Agency.*
- (2) *The Department of Defense.*
- (3) *The Defense Intelligence Agency.*
- (4) *The National Security Agency.*

19-006

**RESTRICTION ON SUPPORT FOR MILITARY OR PARAMILITARY
OPERATIONS IN NICARAGUA**

SEC. 104. Funds available to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States may be obligated and expended during fiscal year 1989 to provide funds, materiel, or other assistance to the Nicaraguan democratic resistance to support military or paramilitary operations in Nicaragua only as authorized in section 101 and as specified in the classified Schedule of Authorizations referred to in section 102, or pursuant to section 502 of the National Security Act of 1947, or pursuant to any provision of law specifically providing such funds, materiel, or assistance.

TITLE II—INTELLIGENCE COMMUNITY STAFF

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1989 the sum of \$23,745,000.

AUTHORIZATION OF PERSONNEL END STRENGTH

SEC. 202. (a) The Intelligence Community Staff is authorized 244 full-time personnel as of September 30, 1989. Such personnel of the Intelligence Community Staff may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.

(b) During Fiscal Year 1989, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.

(c) During Fiscal Year 1989, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Intelligence Community Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

**INTELLIGENCE COMMUNITY STAFF ADMINISTERED IN SAME MANNER AS
CENTRAL INTELLIGENCE AGENCY**

SEC. 203. During Fiscal Year 1989, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) in the same manner as activities and personnel of the Central Intelligence Agency.

Appropriations Conference

Report changed

ICS budget to

\$23,745,000.00

TITLE II—INTELLIGENCE COMMUNITY STAFF

SECTIONS 201, 202, AND 203

Title II of the conference report authorizes appropriations and personnel end-strengths for fiscal year 1989 for the Intelligence Community Staff and provides for administration of the Staff during fiscal year 1989 in the same manner as the Central Intelligence Agency. Both the House bill and the Senate amendment authorized \$23,745,000 and 244 personnel.

TITLE III—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND RELATED MATTERS

SECTION 301

Section 301 of the conference report authorizes appropriations for fiscal year 1989 of \$144,500,000 for the CIA Retirement and Disability Fund. Both Section 301 of the House bill and Section 301 of the Senate amendment authorized \$144,500,000 for the Fund.

Section 302 of the House bill contained a number of technical amendments to the Central Intelligence Agency Retirement Act of 1964 for Certain Employees affecting certain former spouses of CIA employees. The Senate amendment had no comparable provision. Section 302 of the conference agreement is identical to section 302 of the House bill.

TITLE IV—GENERAL PROVISIONS

SECTION 401

Section 401 of the conference report provides that the authorization of appropriations by the conference report shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or laws of the United States. Section 401 of the conference report is identical to Section 401 of the House bill and of the Senate amendment.

SECTION 402

Section 402 of the conference report provides that appropriations authorized by the conference report for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation of benefits authorized by law. Section 402 of the conference report is identical to Section 402 of the House bill and of the Senate amendment.

SECTION 403

Section 403 of the House bill would require the Director of Central Intelligence and the Secretary of Defense to submit 90 days after enactment a report setting forth an analysis of the representation of each minority group at the CIA and NSA respectively, and proposing a plan for each agency that would address any underrepresentation of any such group by September 30, 1991. Section 403 of the conference report is identical to Section 403 of the House bill.